

Gregory J. Yu (State Bar No. 133955)
GLOBAL LAW GROUP
2015 Pioneer Court, Suite P-1
San Mateo, CA 94403
Telephone: (650) 570-4140
Facsimile: (650) 570-4142
E-mail: glgroup [at] inreach [dot] com

Attorney for Plaintiffs and Proposed Class and Subclasses

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KINDERSTART.COM LLC, a California
limited liability company, on behalf of itself and
all others similarly situated,

Plaintiffs,

v.

GOOGLE, INC., a Delaware corporation,
Defendant.

Case No. C 06-2057 JF

**DECLARATION OF CALVIN C.
HOAGLAND IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

I, CALVIN C. HOAGLAND, HEREBY DECLARE AS FOLLOWS:

1. My name is Calvin C. Hoagland. My business and residence are situated in the State of South Carolina.

2. I am an owner and Chief Executive Officer of a privately owned business named Information Centers Inc. (ICI) that owns and manages various Websites, including but not limited to www.atlanta.com. I also am a member of Associated Cities, a worldwide network of commercial metropolitan websites of small businesses who own Uniform Resource Locators (URLs) containing major city names. This network can be found at www.associatedcities.com.

3. In 2005, at least one of ICI's metropolitan Web sites suffered in an unexplained, sudden loss of traffic from Google. Upon learning of this class action, I e-mailed all our members within the network of Associated Cities on March 23, 2006 as follows:

DECLARATION OF CALVIN C. HOAGLAND FOR
PLAINTIFF'S MOTION

Case No. C 06-2057 JF

To all of our members and interested parties:

It pains me to take this step, but the time is now to take action. We have spent time, energy and money to launch our businesses, hire employees, and earn a living. But the world's largest Search Engine has stepped over the line hundreds of times. We are expected to follow rules that are arbitrary, hypertechnical or even nonexistent. Sites are banished and delisted without notice, sometimes indefinitely. We have little hope to regain our lost business and sites. It is massive carnage, but the only consolation is that no blood has been shed. This is absolutely unfair and un-American.

I have personally contacted Gregory Yu, lead counsel for the Class of Plaintiffs. . . . I urge all of our loyal members to visit www.glawinfo.com. . . .

My company Information Centers Inc is going to join in to help in this class action suit, it is the right thing to do and the cost is very low and will be greatly [sp] reduced as others join in, which will be many as this suit grows.

4. One of members of the Associated Cities network who owns a URL for a destination in the Caribbean responded in an email back to me on April 25, 2006 as follows:

I noticed a major change from being in the top 2 to not even showing up in pgs. 1-4. I just checked now and we are #2 again. I do think joining in a lawsuit might remove me permanently. At this stage in the game, I am not willing to rock that boat (or in this case, cruise ship).

5. Other members of the Associated Cities network have, without solicitation from myself, expressed a deep reluctance to get involved in this litigation against Defendant for the fear of facing consequences to their indexing, listing or ranking on Google results pages.

6. On information and belief, ICI qualifies as one of the members of the Class in this action.

I DECLARE UNDER PENALTY OF PERJURY, that the above is based on my personal knowledge, except for other matters above as indicated, which are based on belief and reasonable investigation.

Executed on this 5th day of May, 2006 in Hilton Head Island, South Carolina.

By: 

CALVIN C. HOAGLAND

DECLARATION OF CALVIN C. HOAGLAND FOR
PLAINTIFF'S MOTION

Case No. C 06-2057 JF